APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,500	04/21/2004	John D. Robinson	AST-0001	4294

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EXAMINER
EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
01/27/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/828,500	ROBINSON, JOHN D.
	Examiner	Art Unit	
	HUSSEIN A. EL CHANTI	2457	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 October 2009*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

    4a) Of the above claim(s) *1-14* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to response received Oct. 13, 2009. Claims 15-23 are

pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 15-23 are rejected under 35 U.S.C. 102(b) as being anticipated by

Prahlad et al., U.S. Patent No. 6,779,021 (referred to hereafter as Prahlad).

As to claim 15, Prahlad teaches a method for restoring electronic mail messages

to a mail server, the method comprising:

determining that an electronic mail message addressed to a particular user is

resident at a mail server (see col. 5 lines 6-33, col. 6 lines 37-47));

receiving the electronic mail message at a mail client from the mail server

pursuant to an electronic mail downloading procedure that entails deleting the electronic

mail message from the mail server (see col. 6 lines 50-64);

receiving a request to restore the electronic mail message on the mail server

following a completion of the electronic mail downloading procedure (see col. 10 lines

27-30); and

restoring the electronic mail message as though it had not been downloaded

from the mail server in response to receiving the request (see col. 10 lines 30-36).

As to claim 16, Prahlad teaches the method of claim 15, further comprising:

determining whether the electronic mail message is an appropriate candidate for restoration prior to restoring the electronic mail message (see col. 10 lines 30-36).

As to claim 17, Prahlad teaches the method of claim 15, wherein restoring the electronic mail message comprises:

creating a temporary message file that includes a re-written header and an original message body corresponding to the electronic mail message, wherein the re-written header indicates that the message is being sent from the original sender of the electronic mail message and to the particular user; and transmitting the temporary message file to the mail server (see col. 9 lines 54-col. 10 lines 14).

As to claim 18, Prahlad teaches a computer program product for restoring electronic mail messages to a mail server, the computer program product stored on a computer readable medium and adapted to perform operations comprising:

determining that an electronic mail message addressed to a particular user is resident at a mail server (see col. 5 lines 6-33, col. 6 lines 37-47));

receiving the electronic mail message at a mail client from the mail server pursuant to an electronic mail downloading procedure that entails deleting the electronic mail message from the mail server (see col. 6 lines 50-64);

receiving a request to restore the electronic mail message on the mail server following a completion of the electronic mail downloading procedure (see col. 10 lines 27-30); and

restoring the electronic mail message as though it had not been downloaded
from the mail server in response to receiving the request (see col. 10 lines 30-36).

As to claim 19, Prahlad teaches the computer program product of claim 18,
wherein the operations further comprise:

determining whether the electronic mail message is an appropriate candidate for
restoration prior to restoring the electronic mail message (see col. 10 lines 30-36)

As to claim 20, Prahlad teaches the computer program product of claim 18,
wherein restoring the electronic mail message comprises:

creating a temporary message file that includes a re-written header and an
original message body corresponding to the electronic mail message, wherein the re-
written header indicates that the message is being sent from the original sender of the
electronic mail message and to the particular user; and transmitting the temporary
message file to the mail server (see col. 9 lines 54-col. 10 lines 14).

As to claim 21, Prahlad teaches a system for restoring electronic mail messages
to a mail server, the system comprising:

a e-mail management module, which determines that an electronic mail message
addressed to a particular user is resident at a mail server (see col. 5 lines 6-33, col. 6
lines 37-47));

receiving the electronic mail message at a mail client from the mail server
pursuant to an electronic mail downloading procedure that entails deleting the electronic
mail message from the mail server (see col. 6 lines 50-64);

receiving a request to restore the electronic mail message on the mail server following a completion of the electronic mail downloading procedure (see col. 10 lines 27-30); and

restoring the electronic mail message as though it had not been downloaded from the mail server in response to receiving the request (see col. 10 lines 30-36).

As to claim 22, Prahlad teaches the system of claim 21, wherein the e-mail restoration manager determines whether the electronic mail message is an appropriate candidate for restoration prior to restoring the electronic mail message (see col. 6 lines 50-64).

As to claim 23, Prahlad teaches the system of claim 21, wherein the e-mail restoration manager restores the electronic mail message by creating a temporary message file that includes a re-written header and an original message body corresponding to the electronic mail message, wherein the re-written header indicates that the message is being sent from the original sender of the electronic mail message and to the particular user, and transmitting the temporary message file to the mail server (see col. 9 lines 54-col. 10 lines 14).

Response to Arguments

3.   Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein Elchanti/
Patent Examiner

Jan. 16, 2010